

MINUTES

ADJOURNED CITY COUNCIL MEETING

JUNE 25, 2003

An adjourned meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:33 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR RAUCH.

ROLL CALL

City Council Members Present: Addleman, Mitchell, Rauch, Seamans, Zuckerman

City Staff Present: City Manager Doug Prichard

City Attorney Richard Terzian

Assistant City Manager Sam Wise

Planning Director David Wahba

Project Planner Debby Linn

Tony Locacciato, EIR Consultant, Impact Sciences

Dr. Antonio Coco, Coco Traffic Engineering

Margaret Sohagi, Special CEQA Counsel

City Manager Prichard clarified various points regarding the environmental review process raised in the public hearing from the previous evening. He noted that continuation of this meeting is for the purpose of COUNCIL deliberations only as the public testimony portion is now closed.

CONTINUED PUBLIC HEARING

A. PLANNING APPLICATION NO. 29-01; APPLICANT: ROLLING HILLS COVENANT CHURCH (RHCC); LOCATION: 2221 AND 2222 PALOS VERDES DRIVE NORTH

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Close the public hearing; and 5) Direct staff to prepare the appropriate Resolutions upholding the Planning Commission's recommendation to: (1) Certify the Project Environmental Impact Report; and (2) Deny Planning Application No. 29-01.

COUNCIL WOMAN SEAMANS requested clarification as to the extent of current operations on both the north and south campuses as well as off-campus.

Mr. Best provided the following information:

2,400-3,000 – Worship services

650-1,000 – Children

175-225 – Junior high students

200-275 – High school students

He noted that their satellite campus is referred to as "Rolling Hills Covenant Church East" as it is located in Harbor City.

It was noted that presently several bible study, foreign language, junior high and college classes are held throughout the week.

Discussion ensued regarding the 650 maximum occupancy of the proposed multi-purpose facility as listed in the EIR. Mr. Best noted that this number exceeds what the Church had requested.

Mr. Best indicated that the high school students would remain at the RHCC East Campus location, but was hopeful this program could be transferred back to the main campus. He then referred to the EIR stating that the 650 amount listed is maximum capacity which will not be reached as yet, but the Church hoped to arrive at that number in the future.

COUNCILMAN ZUCKERMAN noted that the EIR states weekly activities would not be increased and asked if this was accurate. Mr. Best noted that this statement is incorrect.

Brief discussion ensued regarding adult classes. Mr. Best noted that the proposed adult classes would not be conducted during worship services on Sunday.

Clare Look-Yeager, Principal, Linscott, Law and Greenspan Engineers, prepared the traffic analysis in the EIR. It was noted that limitation of the number of adult classes is based on the amount of available parking, but only between the first worship service on Sunday and main worship service on Sunday. If the number of adults exceeds that number, there would be insufficient parking. COUNCILMAN ZUCKERMAN noted that the 667 would exceed the 150 maximum for adult classes.

Ms. Look-Yeager noted this is not correct. The services are separated by a greater period of time so as not to cause overlap in parking from the worship services. Mr. Best noted that there are two services on Saturday as well.

COUNCILMAN ZUCKERMAN inquired as to the proposed gymnasium that would invite additional individuals increasing traffic as well. It was noted that large assembly event uses have not been factored into this report.

Craig Knickerbocker, noted his experience that students would begin generally at 5:00 p.m. on weekdays with games being played on the weekends. COUNCILMAN ZUCKERMAN inquired if a condition could be imposed with no competitive events on weekdays in the gymnasium. Mr. Knickerbocker noted that there may be competitive games on the weekends, but probably would not be utilized by more than 50 people at any given time during the week. COUNCILMAN ZUCKERMAN noted that when a facility has a certain maximum occupancy, that amount should be used in terms of reviewing its impact.

Ms. Look-Yeager noted that part of the EIR reviewed comments from the public and this issue was raised by the Montecillo Homeowners' Association. In regards to the multi-purpose facility, it was noted there would be fewer vehicles during the week. She then noted that 2.5 persons had been calculated to attend a competitive event on the weekends based on other arena studies. COUNCILMAN ZUCKERMAN requested this information be shared with staff. Additionally, it

was noted that impacts would be lower than those already identified in the EIR.

Mr. Best noted that their schedule begins as early as 7:30 a.m.-9:30 p.m. on weekdays. It was noted that shuttles are utilized from the south campus to north campus for services.

Other activities during the day include prayer groups, counseling groups and preschool (approximately 130 children). He indicated that this is one of reasons they are requesting more space as there are no available rooms for them to meet.

COUNCILMAN ZUCKERMAN inquired if the multi-purpose room would be used throughout the week or on the weekends. Mr. Best noted this would be used for events rather than regular activities.

MAYOR PRO TEM MITCHELL inquired as to the proposed multi-purpose facilities. Mr. Best noted the uses would be as follows: 1) Sports; 2) Drama; 3) Dinners with a 430 maximum; 4) Adult drama groups; 5) Scouting activities, etc.

Discussion continued with COUNCILWOMAN SEAMANS inquiring as to the leased parcels. It was noted they are being used for parking at this time. Mr. Best noted that they have a 49-year lease on those parcels. COUNCILWOMAN SEAMANS stated she was unaware that the lease had been rewritten and it was her understanding they were set to expire on July 31, 2000 and 2002, respectively. Mr. Best indicated they have been combined into one lease which is now current. Planning Director Wahba noted they do not have a record of this document in the files. He noted that MWD agreed to approve this lease if the City were to approve the project and would extend the lease for a term limit that has yet to be established. He noted that both leases had expired and the land proposed for lease of the driveway would be used as a secondary driveway entrance only. Additionally, he stated that the MWD is in support of a parking structure and sanctuary being built on the existing parcels and are currently operating on a month-to-month basis.

MAYOR PRO TEM MITCHELL inquired if Mr. Best has a current copy of the lease with MWD. Mr. Best noted that he was informed they were current. He then referred to a letter from former Planning Director Oscar Orci from four years ago that the lease was conditioned on the proposed expansion project.

MAYOR PRO TEM MITCHELL noted she would like to review the 49-year lease. COUNCILMAN ZUCKERMAN inquired if there were any letters of agreement where it would show parking spaces would be reduced during construction.

Mr. Best noted that they have an agreement for 75 spaces which are used from time-to-time, but a problem remains as additional spaces are necessary. COUNCILMAN ZUCKERMAN asked for this information to be provided for staff. Mr. Best noted that adequate parking is already available on the north and south campuses.

Mr. Best then stated he has a letter of intent with no terms or conditions. COUNCILWOMAN SEAMANS inquired as to why the Church is asking for a long-term lease for permanent structures rather than purchasing the property outright. Mr. Best noted in 1987 they did not have the funding to buy this property and requested a 15-year lease at that time. COUNCILWOMAN SEAMANS inquired as to why this property is not being considered for purchase at this time. Mr. Best noted he is unsure if it is for sale. MAYOR PRO TEM MITCHELL inquired as to the cost of the lease. Mr. Best indicated he did not know, but could furnish this information as well.

MAYOR RAUCH inquired as to what arrangements would be made for stockpiling the dirt. Mr. Knickerbocker noted they were asked to have a back up plan and noted that Green Hills Memorial Park and Chandler's Sand and Gravel would be considered. He noted that a gate connects them to Green Hills and they would be available to transport the dirt without accessing public roads. COUNCILMAN ADDLEMAN noted that the City of Rancho Palos Verdes has not made any plans to approve the export of the fill to Green Hills noting Chandler's Sand and Gravel as the obvious choice to accept these loads. According to his calculation, he indicated this would be approximately 3,440 truck trips going to and from the Church and believed this would significantly impact the surrounding neighborhoods.

COUNCILMAN ADDLEMAN then inquired as to the length of time necessary for completion of the grading. Mr. Knickerbocker noted his estimation would be approximately two months.

COUNCILMAN ZUCKERMAN inquired as to the existing sanctuary seating capacity and how it would compare to other church sanctuaries. Mr. Best noted they are very close. He then noted that while the seating was reduced, the footprint was not. He asked why they did not go back to the 39 square foot standard originally proposed and make the footprint smaller while reducing the seating capacity. Mr. Knickerbocker noted that the redesigned seating would be more comfortable with greater room and expressed his concern that modifying the footprint of the sanctuary might trigger an EIR. COUNCILMAN ZUCKERMAN then stated that a smaller project would not prompt another EIR. Planning Director Wahba concurred with this assessment.

COUNCILMAN ZUCKERMAN noted that there may be room to reduce the size to take advantage of the capacity. Mr. Knickerbocker noted that they be amenable to reducing the sanctuary by 8-10%. COUNCILMAN ZUCKERMAN encouraged the Applicant to ask those questions in an effort to work this project through. Planning Director Wahba noted that a 10% reduction would amount to approximately 3,700 square feet.

MAYOR PRO TEM MITCHELL requested a history of zoning on this property. Planning Director Wahba noted that the Church property is zoned Institutional. The MWD property has an Open Space-Recreation designation which would include the leased land.

Discussion ensued regarding rezoning of the residential property on the north side of Palos Verdes Drive North, and it was noted by doing so, a single residentially zoned property would be left surrounded by Institutional properties resulting in "reverse spot zoning."

COUNCILMAN ZUCKERMAN noted various projects that could have a potential traffic impact, i.e. Marymount College, Chadwick School, Chandler's Reuse, County Golf Course and Rolling Hills Country Club Golf Course.

Tony Locacciato, EIR Consultant, Impact Sciences, responded to the cumulative impacts noting that generally accepted growth projections would be best suited for the area.

Ms. Look-Yeager noted that the EIR addresses future traffic growth projections. COUNCILMAN ZUCKERMAN inquired if the impact of the number determined was reviewed and why proposed student housing was not identified from the surrounding areas. She responded that this was not known at the time the material was gathered. COUNCILMAN ZUCKERMAN requested this information be provided.

MAYOR RAUCH inquired as to the Chandler Reuse redevelopment. Planning Director Wahba

noted that he will meet with the Rolling Hills Country Club in regards to the golf course. He indicated that the potential Chandler's project was not included in this traffic study.

COUNCILMAN ZUCKERMAN inquired as to street striping. Ms. Look-Yeager explained that a detailed design including mitigation has not been completed.

COUNCILMAN ZUCKERMAN inquired as to restriping certain intersections along with some minor improvements. Ms. Look-Yeager noted this is not usually done without a design plan. COUNCILMAN ZUCKERMAN then referred to the 10 foot widening of Dapplegray School Road stating that the City may not have this proposed area within its right-of-way. It was his belief this should have been mentioned for consideration. Ms. Look-Yeager noted that information regarding the right-of-way was not available based on field reviews, but would be investigated this further.

COUNCILMAN ZUCKERMAN requested that vehicle occupancy be reviewed. Ms. Look-Yeager noted they felt confident that existing worship services would amount to 2.8-3 persons per vehicle. She noted that she does not have "as built plans" with regards to how the right-of-way will operate in the future.

COUNCILMAN ZUCKERMAN noted that if the high school students were to return to the main campus, traffic impacts would have to be considered again. Ms. Look-Yeager noted that the City could consider having the number of parking spaces counted so that if there is an ability to bring the high schoolers back on campus. The main question would be one of adequate parking as a key condition of approval.

At 10:02 p.m., MAYOR RAUCH called for a brief recess.

At 10:15 p.m., the CITY COUNCIL reconvened with MAYOR RAUCH, MAYOR PRO TEM MITCHELL, COUNCILMAN ADDLEMAN, COUNCILWOMAN SEAMANS and COUNCILMAN ZUCKERMAN present.

Ms. Look-Yeager then referred to the Dapplegray Lane noting that adequate right-of-way for width exists in the final EIR. She noted that restriping and roadway improvements are proposed except to the intersection of Dapplegray Lane and Palos Verdes Drive North. It was noted that the final EIR does not reflect why this information is not available.

COUNCILMAN ZUCKERMAN noted his concern with the entry "throat." He noted that there seems to be problems with traffic on weekends and questioned why the Sheriff's Department would be called upon to direct traffic. He stated that circulation patterns should mitigate those problems. It was noted that there is a recommendation to install two traffic signals. Ms. Look-Yeager noted those signals would be in operation primarily to improve conditions on Sundays.

COUNCILMAN ADDLEMAN inquired as to how the traffic would be directed exiting the Church onto Palos Verdes Drive North. Ms. Look-Yeager noted this information was not available. He then inquired as to how many cars could move through the traffic light. Ms. Look-Yeager noted it would be determined based on timing of the signal.

COUNCILMAN ADDLEMAN inquired as to the removal of mature trees along Palos Verdes Drive North noting that this was not addressed in the final EIR. She noted that an existing survey based on their initial review showed additional planting with the new reconfiguration along with raised medians and additional landscaping with approximately 9-13 mature trees being removed.

MAYOR PRO TEM MITCHELL inquired as to the location of a traffic signal at the main entrance. Ms. Look-Yeager noted that a detailed signal phase analysis determined that one signal could operate at that location, but is not recommended from a circulation standpoint. Additionally, she indicated that if one signal was approved, it could be designed in such a way as to be determined to be safe. She also observed that speeds on Palos Verdes Drive North are relatively high and that installing a signal would act as a traffic calming measure.

MAYOR PRO TEM MITCHELL inquired if any traffic analysis was performed on the impact of two signals exiting from Montecillo Drive. Ms. Look-Yeager noted a detailed traffic signal analysis.

COUNCILWOMAN SEAMANS referred to the intersection rated as Level D and that the traffic study found there would be no further degradation. She then suggested reviewing those intersections above Level D as well. Ms. Look-Yeager noted there would be a slight degradation at those locations.

COUNCILMAN ADDLEMAN inquired as to the main sanctuary grading and if the Applicant plans to close the horse trail. Mr. Knickerbocker noted that it would be closed off for approximately two to three months.

COUNCILMAN ADDLEMAN then inquired about off-site alternatives. Mr. Knickerbocker noted that they have searched for available sites but found nothing suitable so they chose to remain at their current location.

MAYOR PRO TEM MITCHELL noted that the draft EIR is inconsistent with the General Plan in regards to zoning. She asked how that impact is being mitigated and noted that no feasible mitigation measure was identified.

Mr. Locacciato noted that there are inconsistencies with three out of seven neighborhood compatibility measures under the City's ordinance.

MAYOR PRO TEM MITCHELL noted that, if the 15' strip was rezoned Institutional, it would make the surrounding Open Space zoning awkward. She addressed some CEQA thresholds that have been implemented under the City's guidelines. In regards to the scenic corridor, it was noted that the analysis took into consideration a few acres from the campus and felt the threshold would apply to Palos Verdes Drive North. She inquired as to why this analysis was done from a limited standpoint.

Mr. Locacciato noted that the thresholds are new and may have minor interpretation issues on how to apply them to a scenic corridor. It was noted this was analyzed with the parking structure along the property line on Palos Verdes Drive North.

COUNCILMAN ZUCKERMAN requested clarification on the issue of carbon monoxide and expressed concern that this threshold may be exceeded. Mr. Locacciato responded that impacts identified were air quality regional issues. He noted that the carbon monoxide is well below the threshold.

COUNCILMAN ZUCKERMAN then inquired as to pedestrian safety. It was noted the EIR states approximately 70 shuttle trips with at least 20 passengers.

MAYOR PRO TEM MITCHELL inquired as to a projection of shuttle trips with the proposed expansion.

Mr. Best noted that generally their ridership is low, but believed five shuttles would suffice. According to their traffic monitors, they have not observed pedestrians crossing over Palos Verdes Drive North as they are encouraged to utilize the shuttle.

MAYOR PRO TEM MITCHELL inquired if shuttle trips would increase due to the expansion. Ms. Look-Yeager noted that there are now approximately 71 shuttle trips with an estimate of approximately 80 which would not be considered a large increase. COUNCILMAN ZUCKERMAN requested a response on how to exit that number of vehicles from the north campus.

MAYOR PRO TEM MITCHELL noted the project description was incomplete according to the EIR.

Mr. Locacciato noted that a lengthy response was provided on the final EIR.

It was noted that two main issues of concern included mass and grading with additional information being requested.

COUNCILMAN ZUCKERMAN moved, seconded by COUNCILMAN ADDLEMAN

TO DENY CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT AS
ADDITIONAL INFORMATION IS NECESSARY TO MAKE A FINAL DETERMINATION.

COUNCILMAN ZUCKERMAN and COUNCILMAN ADDLEMAN withdrew their motion, and second respectively.

COUNCILWOMAN SEAMANS noted that there are issues preventing her approval of this application. She noted she was impressed with the information that was provided from everyone involved, but that the zoning change issue and leased property use is problematic. She noted her concern regarding these items and that it would not be good planning practice to allow building or grading on leased property since there is a question as to the underlying zone of the two parcels that the Church has been leasing. She noted that it would set bad policy to rezone Open Space to Institutional as the property owner is a public entity. She also noted that the Church needs to investigate purchasing the property and creating a new parcel. She noted her unwillingness to upzone the Open Space to Institutional.

MAYOR PRO TEM MITCHELL noted her concerns with granting a zone change in this case had some question regarding the leased parcels. She noted she could not approve a project of this nature as the land is not owned by the Applicant. She went on to state that the General Plan expressly states a policy to preserve open space and low density residential in the area where the project is proposed.

MAYOR PRO TEM MITCHELL appeared troubled that this project has caused such division in the community and believed it may be possible for the Church to submit a design that would be acceptable to all concerned parties. She noted she would like to see the community work together in order to reach an amicable solution and suggested it might be appropriate to retain a

mediator or facilitator with the City assisting in funding this endeavor to reach a solution. Meanwhile, she noted the EIR issues could be worked out while the mediation process takes place.

COUNCILWOMAN SEAMANS concurred with this suggestion. She noted the Church is a very valuable asset to the community.

City Manager Prichard suggested that the facilitator be independent of the project and it would be his/her responsibility to bring about some type of consensus.

COUNCILWOMAN SEAMANS added that the City is attempting to do everything in its power to move this project forward to assist in coming to a final decision.

Extensive discussion continued on how the workshop should be organized, what type of representation would be appropriate from both parties and what would be acceptable to the Applicant and COUNCIL.

It was the consensus of the COUNCIL to receive feedback from those groups who wish to provide representation.

COUNCILWOMAN SEAMANS inquired as to the Applicant's thoughts on this course of action. Mr. Knickerbocker indicated that the neighbors have not been willing to compromise in the past and was skeptical that they would now. He requested a final vote be taken by the COUNCIL.

Mr. Best noted his disappointment in that they have made changes in good faith and have reduced the scope of the project by 600 seats. He noted they have been willing to work with staff in an attempt to move this project forward. Additionally, he stated they would not be open to revising the project further, but would consider reducing the footprint by 10%. He noted if the project could be considered for approval with that stipulation, they would tentatively agree to working with this suggestion. He reiterated that the opponents have not been cooperative in their desire to work with them. Additionally, he stated that, although they have a good project, the leased property was zoned Institutional and how it became Open Space needs to be clarified.

At this point, Mr. Best noted that they would be amenable to meeting with all five COUNCIL MEMBERS. Otherwise, he requested a vote be taken.

Discussion continued on a proposed format of the "workshop." City Manager Prichard suggested meeting with the facilitator, City Council, Planning Commission, Applicant and other interested parties from the opposition.

Mr. Best inquired if the COUNCIL would be open to approving the project within the next 30 days if they submit the required information and come to a consensus with the staff.

COUNCILMAN ZUCKERMAN noted he is always open to considering any project that meets certain necessary requirements. It was noted that the workshops would be open to the public.

Mr. Knickerbocker suggested inquiring if the Coalition would be interested in participating.

Bridget Carman, President, Larga Vista Homeowners' Association, Member of the Coalition, noted her discomfort at speaking on behalf of the Coalition and her own homeowners' association as their board will be holding elections soon. She noted that a compromise would be desirable, but was not in a position to make a statement at this time.

City Manager Prichard recommended carrying this item over to the next meeting allowing the

Applicant and Coalition to talk among themselves to explore this alternative to see if this idea is worth considering and respond at the next COUNCIL meeting.

Ms. Carman indicated she will send out information to the homeowners' association groups within the Coalition for review.

COUNCILMAN ZUCKERMAN noted that the COUNCIL strives to consider every possible alternative and seek a compromise solution before making a decision as it is their responsibility to fully explore all the issues.

MAYOR PRO TEM MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO: 1) CONTINUE THE PUBLIC HEARING TO THE MEETING OF JULY 8, 2003; 2) CONSIDER INPUT FROM THE APPLICANT AND OPPOSING INTERESTED PARTIES AS TO THEIR WILLINGNESS TO PARTICIPATE IN A WORKSHOP; AND 3) DISCUSS THE FORMAT AT THAT TIME.

AYES: Addleman, Mitchell, Rauch, Seamans, Zuckerman

ADJOURNMENT

At 12:22 a.m., MAYOR RAUCH formally adjourned the City Council meeting to July 8, 2003 at 7:30 p.m. in the City Hall Council Chambers.

Submitted by,
Hope J. Nolan
Deputy City Clerk

Approved by,
Douglas R. Prichard
City Clerk